

03/24/97

PATENT  
ROSE 3.0-036 CIP IV

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of  
Hiatt et al.

Serial No. 08/486,536

Filed: June 7, 1995

For: 3' PROTECTED NUCLEOTIDES FOR ENZYME  
CATALYZED TEMPLATE-INDEPENDENT  
CREATION OF PHOSPHODIESTER BONDS

Group Art Unit: 1211

Examiner: James O. Wilson

Date: March 21, 1997

Assistant Commissioner For Patents  
Washington, D.C. 20231**REQUEST FOR CONSIDERATION  
OF INFORMATION UNDER 37 CFR § 1.97(c)**

Sir:

It is respectfully requested that the references cited on the enclosed Form PTO-1449, and referred to in the accompanying Information Disclosure Statement, be considered pursuant to 37 C.F.R. § 1.97(c). The present request is accompanied by a check in the amount of \$230.00 pursuant to 37 C.F.R. § 1.17(p). In the event that any additional fee is due in connection with the present request, the same should be charged to our Deposit Account No. 12-1095.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on March 21, 1997.

(Date of Deposit)

Signature: 

PETER J. BUTCH III

(Typed or Printed Name of Person Signing Certificate)

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Assistant Commissioner For Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Sir:

It is respectfully requested that the references listed on the enclosed Form PTO-1449 be made of record and considered with respect to the above-referenced U.S. patent application. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

The above-identified patent application is a Continuation-In-Part of U.S. Patent Application Serial No. 08/300,484 having a filing date of September 2, 1994, which is relied upon for an earlier filing date under 35 U.S.C. § 120. The following co-pending and commonly owned U.S. patent applications containing related subject matter were filed on the same date as the above-identified patent application:

08/486,535  
08/486,885  
08/486,897  
08/486,913

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on March 21, 1997.

Signature: \_\_\_\_\_

PETER J. BUTCH III

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Copies of the following references listed on the Form PTO-1449 are enclosed:

*Kelly et al.*, U.S. Patent No. 4,096,324  
*Skulnick*, U.S. Patent No. 4,423,212  
*Molko et al.*, U.S. Patent No. 4,980,460  
*Kawai et al.*, U.S. Patent No. 5,032,680

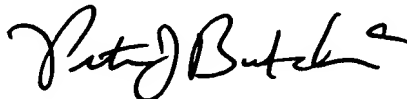
The Form PTO-1449 also lists JP 55-38,324. To date, Applicants have not obtained a copy of this publication. However, an English-language abstract obtained from a computer database service is enclosed.

The remaining references listed on the Form PTO-1449 were cited by or submitted to the Patent Office during the pendency of the parent application. Accordingly, no copies of these references are provided, as permitted by 37 C.F.R. § 1.98(d).

If there are any additional charges in connection with this Information Disclosure Statement, the Examiner is authorized to charge Applicants' Deposit Account No. 12-1095 therefor.

Respectfully requested,

LERNER, DAVID, LITTENBERG,  
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